SUPPLEMENT TO THE

MYSORE GAZETTE.

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SALE OF ARRACK VEND FARMS OF 1897-98.

Notification, Camp No. 422—Ex., dated 17th March 1897.

It is hereby notified by the Government of Mysore that the exclusive privilege of selling Arrack in the defined tracts specified in the subjoined schedule for the twelve months, beginning with 1st July 1897 and ending with 30th June 1898, will be sold by the respective Deputy Commissioners or by Assistant Commissioners specially authorized by the Deputy Commissioners for the purpose, at the taluk head-quarters in the respective districts, on the dates specified in the said schedule, subject to the conditions hereinafter set forth. If the sales are not completed on those days, they will be continued on the next following days. Should there be no bids for any of the aforesaid tracts singly, the officer conducting the sale may revise the tracts at discretion, clubbing together more than one tract, or selling the tracts by taluks, or, if necessary, reserving special tracts in which there may at present be no shops for disposal afterwards.

2. The exclusive privilege above described will be put up to auction, farm by farm, and each farm put up to auction will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion without assigning reasons for the same. Such formal confirmation will be tantamount to an acceptance of the bid.

3. Parties intending to bid must attend either in person or by duly authorized agents. The successful bidder must, on the farm being knocked down to him and before the next farm is put up for sale, deposit a sum equal to 3ths of a month's rent; and within fifteen days from the date of confirmation of sale by the Deputy Commissioner, he must deposit such further sum as, with the former deposit, will make up an aggregate sum equal to two months' rent. If he fails to make either of the deposits aforesaid the deposits already made will be forfeited, and the exclusive privilege will be immediately re-sold or otherwise disposed of as the Deputy Commissioner may direct; and he shall be debarred from bidding again for the same or for any other farm.

4. Re-sales effected under para 3 will be at the risk of the defaulting bidder, who will forfeit all gain, and in the event of a loss by the re-sale, will make good the deficiency between the total amount payable by him for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale; and the remainder, if any, will be recovered from the bidder in the [illegible] as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater

5. The purchaser of the exclusive privilege shall sign an agreement binding himself to observe the conditions hereinafter set forth ; and the agreement shall be executed within ten days of the expiry of the period of fifteen days above mentioned. If the purchaser fails or refuses to sign the agreement, all deposits already made will be forfeited ; and the exclusive privilege will be re-sold at the risk and loss of the first purchaser as set forth in paras 3 and 4, or be otherwise disposed of. In the case of the purchaser's death after confirmation of the sale, it will be binding on his heirs or assigns.

6. The details of consumption of Arrack in the shops of the existing farms and at depôts, the amount of rental of each farm, &c., for several years past are specified in the appended schedule.

7. As soon as the agreement has been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions :—

(1) The exclusive privilege shall extend only to the sale of Arrack ordinarily of 20° under-proof, and with the special permission of the Deputy Commissioner or other officer authorized by him, to the sale of Arrack of 30° under-proof. But it shall not extend to the sale of double-distilled country spirits and other special liquors of whatever strength manufactured at the Government Central Distillery, Bangalore, and which the Foreign liquor shop-keepers alone are permitted to sell.

(2) The amount for which the privilege has been purchased shall be payable into the local Government Treasuries on printed chellans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1897 ; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, declare, by record in writing, that the license is forfeited, and proceed to re-sell the farm as soon after the last day of the month as may be possible. Provided, however, that instead of re-selling the farm as above, the Deputy Commissioner may, in his discretion, direct the Amildar to break up the defaulting farm into the existing number of shops within it, and to give each separate shop-keeper a license for the rent he agrees to pay, provided the total of such rents is not less than what the defaulting farmer had agreed to pay.

(3) (*a*) The deposit made by the licensee shall be taken in payment of the instalments due in the last two months of the period of the farm. Provided, however, that where the farm is re-sold or broken up under the provisions of sub-clause (2) above, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter, as well as towards the deficits, if any, arising from the re-sale of the farm. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee.

(*b*) Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default, and on deficits from the date of re-sale.

(4) (*a*) The licensee shall purchase Arrack for issue to his shops from the Commercial Bank of India, who have been appointed manufacturers of Arrack and other country spirits to the State, or from any Bonded Depôt established under the sanction of Government. The rate to be charged by the said manufacturers for arrack supplied by them, shall be 6¾ annas per gallon of 20° under-proof, and proportionate rates for lower strengths in accordance with Caselia's rules. The licensee shall sell arrack to the public at Rs. 6-6-0 per gallon of 20° under-proof, (*i. e.* at annas 2 per drain which is equal to $\frac{1}{5\frac{1}{7}}$ part of a gallon), and at proportionate rates for lower strengths.

(*b*) The above rate to be charged by the manufacturers is in addition to excise duty, which shall be prepaid into the local Government Treasury, as per following condition (5), at Rs. 4¾ before the removal of arrack from the Distillery, or from any Bonded Depôt established under the sanction of Government.

(5) The licensee shall pay the above duty into the local Taluk Treasury and obtain a receipt in the prescribed form. On production of such receipt and an indent for the supply of Arrack covered by the receipt, and on payment of the prescribed price of such arrack to the manufacturers or their agent, or any person appointed by Government in this behalf, the Assistant Supervisor or other officer in charge of the Distillery, or the Bonded Depôt-keeper shall issue the quantity of arrack equal to the amount of duty shown in the Treasury Officer's receipt, which will be forwarded to the Excise Commissioner's office under the endorsement of the Assistant Supervisor or other officer or Bonded Depôt-keeper aforesaid, as to the date and hour when the arrack was issued. The Assistant Supervisor or other officer aforesaid shall issue a pass in duplicate in the prescribed form, under the rules in force for the transport of the arrack from the Distillery. The licensee who obtains Arrack from a Bonded Depôt shall pay both the price of arrack and duty into the local Taluk Treasury

(6) The licensee in the Bangalore District shall maintain at a place or places within his farm where it may be considered necessary by the Deputy Commissioner, a depôt or depôts to which all arrack purchased by him shall in the first instance be conveyed in his own casks for verification, &c., of the consignment under the rules in force, before issue to the shop-keepers. The depôts shall at all times be open to inspection by the Deputy Commissioner or any officer of the Excise Department. No such depôt shall be opened without a license from the Deputy Commissioner in the prescribed form. The licensees in the remaining seven districts will draw their supplies from, and deposit the same for issue to their shops in, the existing Bonded Depôts, the cost of the establishments and rent whereof being borne by the Government contractor for carriage of arrack to Bonded Depôts.

(7) The arrack shall be sold as issued from the Distillery, Bonded Depôt, or Farm Depôt, and shall not be adulterated or diluted in any manner in the shops.

(8) The licensee shall keep true accounts of the quantity and strength of the arrack purchased by him and issued to shop-keepers. The passes issued with the arrack purchased by him shall be subject to examination and check under the Rahadari rules in force or which may be issued by Government from time to time.

(9) The arrack shall not be sold except in shops duly licensed by the Deputy Commissioner in the prescribed form, and no new shops shall be opened without the previous sanction of the Excise Commissioner.

(10) The Deputy Commissioner may, whenever he thinks fit, direct any shops to be closed, or permit transfers of shops from one place to another.

(11) The licensee shall not, during the term of the license, have any interest in the exclusive privilege of vending toddy in any part of the farm to which the license relates, nor permit any person having interest in the exclusive privilege of vending toddy in any part of the farm, to hold any share or interest in his exclusive privilege of selling arrack; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any arrack farm in any Districts of the Madras or Bombay Presidency under the British Government or in any other Foreign State or Territory.

(12) The licensee shall be bound to take over any arrack which may remain as stock in hand belonging to the out-going farmer on the 1st July 1897 in the existing Bonded Depôt in his farm, or in the Farm Depôt, or in his shops, paying to the out-going farmer such compensation for the same as may be fixed by the Excise Commissioner.

(13) The licensee shall be bound by the provisions of the Excise laws and rules in force, and by any additional rules which may from time to time be prescribed under the Excise laws. The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the prescribed forms of accounts and permits or passes for the transport of arrack, which forms shall be purchased from the local Excise officers.

(14) The Farm shall not be transferable except with the permission of the Excise Commissioner.

(15) Resignations of farms in whole or part will be summarily rejected by the Deputy Commissioner.

8. In case of any breach of the aforesaid conditions or of the license either by the licensee, or with his connivance or privity by any person in his employment, or in the event of the licensee neglecting to open his shops or to carry on the business of his farm with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach of such conditions or for such neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and re-sell the exclusive privilege at the risk of the licensee or to place the farm under the management of Government; and all loss thereby caused, together with all losses accruing to Government in consequence of the licensee's neglect to carry on his business by opening his shops on 1st July 1897, should be made good by the licensee. When a farm is cancelled, the rent for the whole period of the farm shall become due at once. All such amounts of penalties and losses shall be recovered in the same manner as if they were the arrears of land revenue.

9. The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding condition shall not be held to prevent the prosecution of the licensee or his agents or employés for any offence punishable under the Excise laws or other law for the time being in force.

By Order,

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Departments.

Camp No. 423, dated 17th March 1897.

Sale of Separate Arrack Shops for 1897-98

1. Notice is hereby given that the right of selling Arrack in each of the separate shops in the tracts specified in the subjoined schedule, for the twelve months beginning with 1st July 1897, and ending with 30th June 1898, will be put up to public auction on the dates and at the places named in the said schedule, by the Deputy Commissioner or other officer authorized by him.

2. Each bidder at the auction will deposit a sum of Rs. 60 or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. The shops will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion without assigning reasons for the same. Such formal confirmation will be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

3. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided will be returned to them. As the auction proceeds, the person whose bid is accepted for each shop shall at once deposit a sum equal to $\frac{5}{6}$ths of a month's rent for that shop; and within seven days from the date of confirmation of sale by the Deputy Commissioner, he must deposit such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent. Should he fail to make either of the deposits aforesaid, the deposits already made will be forfeited, the shop will at once be resold or otherwise disposed of under orders of the Deputy Commissioner, and he will be debarred from bidding again for the same or for any other shop.

4. Re-sales effected under para 3 will be at the risk of the defaulting bidder, who will forfeit all gain; and in the event of a loss by re-sale, he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit will be credited to Government.

5. Persons to whom shops have been knocked down shall, within ten days of the expiry of the period of seven days above mentioned, take out licenses and execute agreements in the prescribed form, on the conditions hereinafter set forth. On the failure of any person to take out licenses or to execute agreements as aforesaid, the shop or shops will be re-sold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after confirmation of the sale, it will be binding on his heirs or assigns.

6. The amount of rental, the consumption of each shop, &c., for several years past are specified in the appended schedule.

7. The license to be taken out under para 5 above shall be subject to the following conditions, namely:—

(1) The privilege conferred by the license extends only to the sale of arrack of the strength of 20° under-proof. But it shall not extend to the sale of double-distilled country spirits and other special liquors of whatever strength manufactured at the Government Central Distillery, Bangalore, and which the foreign liquor shop-keepers alone are permitted to sell.

(2) (*a*) The amount for which the privilege has been purchased shall be payable into the local Government Treasury in equal monthly instalments commencing from July 1897; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, declare, by record in writing, that the lease is forfeited, and proceed to re-sell the shops as soon after the last day of the month as may be possible. The deposit made by the licensee shall be taken in payment of the instalments due in the last two months of the period of the lease. Provided, however, that when the shops are re-sold, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter, as well as towards the deficits, if any, arising from the re-sale of the shops. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account

(*b*) Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default and on deficits from the date of re-sale.

(3) The licensee shall purchase the arrack to be sold in his shop from the Commercial Bank of India, who have been appointed Manufacturers of arrack and, other country spirits to the State, at the rate of 6½ annas per gallon of 20° under-proof delivered at the Distillery, or from a Bonded Depôt established under the sanction of Government. The arrack shall be sold to the public by the licensee at Rs. 6-6-0 per gallon of 20° under-proof, (*i. e.*, at annas 2 per dram which is equal to $\frac{1}{8}$ part of a gallon).

(4) The licensee of every shop in the towns of Bangalore and Mysore shall pay a registration fee under the Municipal Regulation, at the rate of Rs. 180 per annum in advance for the period of the license for his shop; and he shall pay also a license fee of 4 annas per gallon on all arrack sold by him in excess of 55 gallons a month in each.

(5) The above rate to be charged by the Manufacturers and the above fees are in addition to the Excise duty which shall be prepaid as per following condition (6), at the prescribed rate of Rs. 4¾ per gallon of 20° under-proof, before the removal of the arrack from the Bonded Depôt established under the sanction of Government.

(6) The licensee shall pay the above duty and price to a special Shroff appointed in this behalf at the cost of Government and located at the Taluk Cutcherry to receive such duty and price daily, including Sundays and holidays, and shall obtain a receipt in the prescribed printed form. On production of such receipt and an indent for the supply of the arrack covered by the receipt, the Bonded Depôt-keeper shall issue the quantity of arrack equal to the amount of duty shown in the said receipt which will be forwarded to the Excise Commissioner's office under the endorsement of the Bonded Depôt-keeper aforesaid, as to the date and hour when the arrack was issued. The Depôt-keeper aforesaid shall issue a pass in the prescribed form for the transport of arrack from the Bonded Depôt.

(7) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of arrack, which forms shall be purchased from local Excise Officers.

(8) Resignations of shops in whole or part will be summarily rejected by the Deputy Commissioner.

(9) The licensee shall be bound by the rules in force, and which may be issued from time to time by Government.

(10) The remaining terms and conditions shall be as set forth in the prescribed license.

8. In case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop, or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or for such neglect, or, at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and to re-sell the shop at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1897, shall be made good by him. When a shop is cancelled, the rent for the whole period of the shop shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

9. The penalties laid down in the last preceding clause shall not exempt the licensee or his employés from prosecution for any offence committed against the Excise laws or other law in force.

By Order,

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Departments.

N. B.—For Schedule, see Supplement to the *Mysore Gazette*, dated 1st April 1897.